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ఆంధ్రప్రదేశ్ రాజపత్రము

THE ANDHRA PRADESH GAZETTE

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W.No.10 AMARAVATI, WEDNESDAY, MARCH 14, 2018 **G.501**

PART II - MISCELLANEOUS NOTIFICATIOSN OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

THE ADDITIONAL COMMANDANT

APSPF, VIJAYAWADA.

DISCIPLINARY ACTION AGAINST Sri O.Ch. SUNDARA RAO, HC-1803 OF APSPF, VIJAYAWADA GUARDS.

Ref :

1. Medical Leave pass port Dated: 18.05.2017 issued by Inspector, APSPF Vijayawada Guards.
2. C.No.14/AC/SPF/VJA/ML72017/427 Date:20.05.2017 Asst. Comdt. APSPF, Vijayawada.(ML intimation report).
3. CNo.16/AC/SPF/VJA/OSL/MiyHC-1803/2017/482 Date: 08.06.2017 of Asst. Commandant, APSPF, Vijayawada (OSL intimation report).
4. Re-Call Memo C.No.16/AC/SPF/VJA/RCM/2017/495 Date: 09.06.2017 Asst. Commandant, APSPF, Vijayawada.
5. C.No.I6/SPF/AC/VJA/OSL/ML /HC-1803/2017/347 Date: 03.07.2017 Asst. Commandant, APSPF, Vijayawada (Continuous OSL report)
6. C.No.16/SPF/AC/VJA/OSI7ML/HC-I803/2017/533 Date: 26.09.2017 Asst. Commandant, APSPF, Vijayawada (Continuous OSL report).
7. Lr.No.402/SPF/Comdt-VJA/Re-Call Memo/2017/D.No-1440 Dt: 03.10.17 of Commandant, APSPF, Vijayawada Zone.
8. Letter: C.No.16/AC/SPF/VJA/HC-1803/2017/566 Date:06.10.2017 Asst. Commandant. APSPF, Vijayawada.(Report regarding serving of re-call memo)
9. Rc. No.A3/101/PR/15/Comdt.-VJA/ASPF/2017/1498 Date: 09.10.2017 Article of charge framed by this office.
10. Rc. No.A3/101/PR/I5/Comdt;-VJA/ASPF/2017/1551 Date: 21.10.2017 Memorandum(Reminder) sent by this office.

11. Gazette copy: W. No. 44 Amaravathi , Thursday, November 2, 2017 G.279 Part-II Miscellaneous Notification of Interest to the Public (AOC).
12. Rc. No.A3/1 OI/Comdt.-VJA/PR/15/ ASPF/2017/1745 O.O. No.A-34/2017 Date: 29.11.2017(Appointing of Inquiring Authority).
13. C.No.IO/AC/SPF/NTTPS/VJA/OE/2018/76 Date: 10.02.2018 of Asst. Commandant, APSPF, Dr NTTPS, Vijayawada (Enquiry report).
14. Rc.No.101/PR/15/Comdt-VJA/APSPF/2018, D.No:204 Dt:14.02.2018 of the Addl. Commandant, APSPF. (Show Cause Notice)
15. ENDT. 35/AC/SPF/VJA/18-124 Dt:16.02.2018 report of Sri M. Vasu, Sub-Inspector, APSPF, Vijayawada (Special messenger to serve SCN).

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Rc.No.A3/101/PR/15/Comdt.-VJA/APSPF/2017-18/D.No.295,O.o.No. A-02/2018,- In the references 1st & 3rd cited, as reported by the Asst. Commandant, APSPF, Vijayawada Guards that Sri O.Ch. Sundara Rao HC-1803 of APSPF, Vijayawada Guards has been pass ported to avail 14 days Medical Leave w.e.f 18.05.2017 FN to 31.05.2017 AN. After completion of Medical Leave he did not turn-up for duties and became OSL from Medical Leave w.e.f 31.05.2017 AN.

Vide reference 4th cited, a re-call memo was sent by the Asst. Commandant, APSPF, Vijayawada Guards to his native address by registered post with instructions to report back for duties immediately, Since, the same postal registered cover returned back to Asst. commandant Office, Vijayawada Guards as it is undelivered. Vide references 5th & 6th cited, continuous OSL reports were sent by the Asst. Commandant, APSPF, Vijayawada to Commandant office by stating his (HC-1803) whereabouts not known till date.

Vide reference 7th cited, another re-call memo has been sent from this office (Commandant HQRS, VJA) to his residential address through a special messenger HC- 673 Sri K.Venkateswara Rao of APSPF Vijayawada Guards with instructions to serve the Re-call memo on the said Head Constable to report for duties. Vide reference 8th cited, the Asst. Commandant APSPF, Vijayawada Guards has submitted a report that Sri K.Venkateswara Rao HC-673 detailed as special messenger and approached the said HC -1803 at his residence on 05.10.2017 at 07.05 hrs in order to serve the re-call memo. Since the said HC-1803 again played the game first received the memo, read the same and refused to accept and acknowledge the same and returned it to the special messenger Sri K.V Rao HC-673. Due to which the special messenger HC- 673 pasted the same copy on his residence door at Flat no; 102 , 1st Floor, Shiva Naga Sai Residency, 4th Lane , RTC Colony, Guntur Pin:52001.

Vide references 9th & 10th cited, an Article of Charge framed against him and sent to his residential address through special messengers Sri K. Ramesh Sub-Inspector, Sri K.V Rao HC-673 and Sri M.Koteswara Rao CT-3343 of APSPF, Vijayawada with instructions to serve the Memorandum of Charge on the said Head Constable-1803. Since, the said HC-1803 again played the same game that first received the AOC, read the same and refused to accept and acknowledge the same and returned it to the special messengers. Also the charged officer continued the same attitude while serving the reminder through special messenger Sri N.B. Shiva Kumar CT-4943 with the help of HC-1441 Sri K.U.M Reddy

Sub Unit Guntur Guards. Due to which the special messengers pasted the same copies on his residence door at Flat no: 102 , 1st Floor, Shiva Naga Sai Residency, 4th Lane , RTC Colony, Guntur Pin:52001 in presence of Old **Guntur Police Station staff PC- 4283 Sri Bonasi Manoj and Women Police Constable -5354 Saleem Naga Purnima.** But no explanation has been received from the charged officer.

Vide reference 11th cited, the Memorandum of Charge was published through AP Gazette notification and sent the same to his residential address through special messengers Sri K. Ramesh Sub-Inspector, Sri K.U.M Reddy HC-1441 of APSPF, Vijayawada, wherein the said Head Constable- 1803 was not available at his residence and basing on the information of Sri V. Naga Raju (watch Man), special messengers awaited there for some time, nevertheless the charged officer was not appeared. Due to which the special messengers pasted the same Gazette copy on his residence door at Flat no: 102 , 1st Floor, Shiva Naga Sai Residence, 4th Lane , RTC Colony, Guntur Pin:52001 in **presence of Sri Vatram Naga Raju Watch Man of the Residency.**

Vide reference 12th cited, Sri D. Aseervadam, Asst. Commandant, APSPF, Dr. NTTPS, Vijayawada was appointed as an Inquiry Officer to inquiry into the charges framed against the charged officer. Vide reference 13th cited, the Inquiring Authority has conducted the O.E. and submitted enquiry report duly " **Proving** " the Article of charges against the Charged Officer by construing as an ex-parte. Even, the Inquiring Authority conducted the departmental enquiry in 3 spells i.e on 16th & 26th of December - 2017 and 5th /6th of January-2018 . But the charged officer did not attend OE intentionally and blindly ignored the orders of Enquiry Officer, even the charged officer aware about the enquiry from time to time through special messengers.

Vide references 14th & 15th cited, a Show Cause Notice along with a copy of the enquiry report sent to his residential address through special messenger Sri M. Vasu, Sub- Inspector, and HC-1525 Sri B. Mohan APSPF, Vijayawada with instructions to serve the copy on the said Head Constable-1803. Since, the charged officer Sri O.Ch. Sundara Rao HC-1803 continued the same attitude by rejecting intentionally while serving the Show Cause Notice along with enquiry report. Due to which the special messengers follow the same procedure that they pasted the Show Cause Notice along with a copy of the enquiry report on his residence door at Flat no: 102 , 1st Floor, Shiva Naga Sai Residence, 4th Lane, RTC Colony, Guntur Pin:52001 in **presence of Sri Smt. V. Tirupathamma, w/o V. Naga Raju Watch Man of the said Residency.**

I have carefully gone through the enquiry report and entire PR file of the charged officer, who became willful, prolonged absence (Over Stayed Leave) from Medical Leave by incontrovertibly neglecting leave procedure. If he really fell ill and intends to avail medical leave, he may follow the standard leave procedure by approach nearest SPF unit or senior officers. But, he failed to do so and over stayed with the pretext of Medical Leave by taking decision at his own accord. However, he got over stayed Medical leave/ un-authorized absence for a period of total **293 days w.e.f 18.05.2017 AN to 31.05.2017 i.e 14 days Medical Leave and 01.06.2017 to 06.03.2018 i.e 279 days** as on today by violating CC&A Rules, even without any intimation to his superiors.

I totally agree with the findings and opinion of the Enquiry Officer, who **Proved** the charges leveled against Sri O.Ch. Sundara Rao HC-1803 APSPF, Vijayawada.

All reasonable opportunities have been given to the charged officer to defend himself. Several times special messengers in the cadre of Sub-Inspector, Head Constable and Constables were deputed to his residence to serve the disciplinary proceeding correspondence. But the charged officer being a senior Head Constable well aware about the procedure, rules and regulations but intentionally ignored the orders of superiors and blindly rejected to accept and acknowledge the letters from this office. It is clearly indicating his adamant behavior.

Accordingly, the charged officer Sri O.Ch. Sundara Rao HC-1803 is obviously violating superior orders/instructions and intentionally vitiated Rule 3 of AP Civil Services (CONDUCT) Rules 1964. Obliviously the said HC-1803 ignored the orders of superiors by evade for attending to duties or departmental oral enquiry. As it known that he neither responded to this office correspondence nor reported to duty till date.

It is clear evident that the said Head Constable is adopted such adamant nature as violating CC&A Rules invariably by disrupting the integrity, discipline, impartiality and a sense of propriety.

It is pertinent to mentioned here that, being a senior most member in the Armed Force, he tried to vitiate the procedure in vogue deliberately. Accordingly, it seems that the charged officer does not like to continue in the Force as he may be settled in another profession.

In view of the above circumstances, the said HC-1803, Sri O.Ch. Sundara Rao of APSPF Vijayawada Guards is deserved to be punished drastically for willful, pro-longed, (unauthorized) absence without leave **i.e 293 days w.e.f 18.05.2017 AN to till date i.e as on 06.03.2018 and blindly ignored the orders of superiors even he has given reasonable opportunities at each step.**

I, therefore, award the charged officer Sri O.Ch. Sundara Rao HC-1803 of APSPF, Vijayawada with a penalty of ***"Removal from service"*** with immediate effect under Rule 9 (ix) of APCS (CC&A) Rules, 1991.

Subsequently, the Medical Leave and OSL period of **293** days from **18.05.2017 to 06.03.2018 i.e a s on today treated as " Not on Duty ".**

Dr. K.N. RAO,
Additional Commandant,
A.P. Special Protection Force,
Vijayawada Zone.

Date : 06-03-2018.

To
Sri O.Ch. Sundara Rao, HC-1803 of APSPF, Vijayawada,
Through the Asst. Commandant, APSPF, Vijayawada.

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